

U.S. Patent Application Serial No. **10/036,516**
Response filed December 21, 2004
Reply to OA dated September 22, 2004

REMARKS

Claims 1-33 are pending in this application, all of which have been amended. No new claims have been added.

The Examiner has objected to claims 1-33 for an informality which has been corrected in the aforementioned amendments.

Claims 1-3, 10-11, 15-17, 21-22, 29 and 30 stand rejected under 35 USC §112, second paragraph, as indefinite.

Accordingly, claims 1-3, 10-11, 15-17, 21-22, 29 and 30 have been amended to correct the noted instances of indefiniteness, and the 35 USC §112, second paragraph, rejection should be withdrawn.

Claims 15 and 16 stand rejected under 35 USC §102(e) as anticipated by U.S. Patent 6,748,318 to Jones (hereinafter “**Jones**”).

Applicants respectfully traverse this rejection.

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Jones discloses an advance notification system notifying users of the impending arrival of a vehicle, for example, an overnight package delivery vehicle, at a particular vehicle stop. The system generally includes an on-board vehicle control unit (VCU) for each vehicle and a base station control unit (BSCU) for sending messages to user computers in order to inform the users when the vehicle resides at a certain predefined time period, distance, prior stop, and/or location point from the vehicle stop. Moreover, vehicle tracking, the BSCU, a computer network (e.g., the Internet), and software located on a user computer may be combined in a plurality of configurations for launching and communicating a message of the impending arrival of a particular vehicle before it arrives. The computer message is to advise of the impending arrival and preferably will exhibit a distinctive display and/or sound on the recipient computer so that the recipient is informed of the message.

Regarding claim 15, the Examiner urges that column 4, lines 7-49 disclose a transmitting means for converting data as to the prepared list to a radio signal and transmitting the radio signal to the position information providing device.

Applicants respectfully disagree.

Column 4, lines 7-49 fails to disclose a list “required for checking whether it is approved to provide the position information for said one or plurality of terminal communication units in response to an information input manipulation by a user”, as recited in claim 15. This passage only

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deals with base station operation, not the user of the portable communication device, to which claim 15 is directed.

This passage also fails to disclose the “transmitting means” recited in claim 15.

With regard to claim 16, the Examiner urges that column 13, lines 39-60 disclose control means for discontinuing the information measuring operation of the position measuring means in response to a position measurement discontinuing manipulation by a user.

Applicants respectfully disagree. Column 13, lines 39-60 disclose:

The advance notification system 10 is customized for each system implementation for communication optimization needed for lowering the number of wireless messages and the cost between the Vehicle Control Unit (VCU) 12 and the Base Station Control Unit (BSCU) 14. As an example, when vehicles have extended and long drives, normally in rural or remote areas, communication can be stopped until the vehicle reaches a predetermined location, time, or when polled by the (BSCU) 14. Upon reaching the predefined location, or the expiring of a predefined time period, or when polled by the (BSCU) 14, communication is restarted. Additionally, the actual communication can be triggered by the activation of a User Input Control (UIC) 21a. As an example, when a vehicle driver activates the User Input Control (UIC) 21a (e.g., when a package is delivered and sensor is activated), communication from the Vehicle Control Unit (VCU) 12 to the Base Station Control Unit (BSCU) 14 can be established. Because the (BSCU) 14 controls the communication protocols (ability to analyze travel data for best communication

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methods, then down loaded to VCU 12) in the (VCU) 12, multiple combinations in most trucks 19 can be used to limit communication.

This passage discloses no more than stopping and restarting of communication between the vehicle control unit and the Base Station Control Unit. This is in contrast to claim 16, which is directed to “discontinuing the information measuring operation” in response to a user.

Thus, the 35 USC §102(e) rejection should be withdrawn.

The Examiner has indicated that claims 1-14 and 17-33 would be allowable if rewritten to overcome the 35 USC §112, second paragraph, rejection.

Accordingly, claims 1-14 and 17-33 has been so amended.

In view of the aforementioned amendments and accompanying remarks, claims 1-33, as amended, are in condition for allowance, which action, at an early date, is requested.

If, for any reason, it is felt that this application is not now in condition for allowance, the Examiner is requested to contact Applicants undersigned attorney at the telephone number indicated below to arrange for an interview to expedite the disposition of this case.

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In the event that this paper is not timely filed, Applicants respectfully petition for an appropriate extension of time. Please charge any fees for such an extension of time and any other fees which may be due with respect to this paper, to Deposit Account No. 01-2340.

Respectfully submitted,

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PATENT TRADEMARK OFFICE

Enclosures: Substitute Abstract of the Disclosure

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